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July 9, 2020

BY ECF

Hon. Laura T. Swain
United States District
U.S. Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: United States v. Armando Barbier
19 Cr. 677 (LTS)

Dear Judge Swain:

I was recently appointed as the CJA attorney for Armando Barbier, a defendant in the above-captioned case. This letter requests permission to expend CJA funds to hire an associate attorney, Jacob Mitchell, Esq., to assist me in this case.

As can be seen in his attached resume, Mr. Mitchell graduated law school in 2010. Since then, he has acquired extensive skills in various phases of federal criminal cases. From August 2010 to December 2014, he worked at DeNovo Legal as an Electronic Discovery Attorney. Additionally, Mr. Mitchell has been approved by District Judges to assist CJA attorneys in numerous criminal trials in this District as well as one criminal trial in the Eastern District.

Specifically, Mr. Mitchell was appointed to assist the late CJA attorney Kenneth Paul in *United States v. McDow*, 15 Cr. 233 (PGG)(SDNY) and *United States v. Ryan Quashie*, 14 CR 376 (BMC)(EDNY); and Allan Haber, Esq. in *United States v. Weisberg*, before Judge Analisa Torres in this District. Mr. Mitchell also assisted me in *United States v. Malik Saunders*, 15 Cr. 153 (VSB) and *United States v. Branch*, 17 Cr. 64 (CS).

I respectfully request that this Court assign and approve Mr. Mitchell to work on this case as my associate. Mr. Mitchell has established a relationship with Mr. Barbier and in this time of distancing it will be useful to have his assistance. Using Mr. Mitchell to assist me will be more cost-effective since he will bill at an hourly rate of \$90 whereas I will be billing at an hourly rate of \$152.

Thank you for the Court's consideration of this application.

Respectfully submitted,

/s/

Richard B. Lind

cc: All counsel (by ECF)

The request is granted for up to 150 hours of services at \$90 per hour. Mr. Lind is directed to consult with the Circuit Case Budgeting Attorney to formulate any necessary budget. DE#59 resolved.

SO ORDERED.

7/10/2020

/s/ Laura Taylor Swain, USDJ

Jacob B. Mitchell

221 Cumberland Street, Apt. 1, Brooklyn, NY 11205

(540) 273-3400

jacobbarclaymitchell@gmail.com

EDUCATION

New York Law School, J.D., May 2010

- **Admission** - New York State, SDNY, EDNY

Fordham University, May 2005

- Graduate School of education

Bard College, B.A., Political Science, May 2004

- **Awarded** - Certificate of Intensive Study at Bard Globalization and International Affairs Program

EXPERIENCE

The Law Office of Jacob Barclay Mitchell

December 2014 – Present

Federal Criminal Defense Attorney

- Member of trial team for defendant Ryan Quashie in *U.S v. Ryan Quashie* 14 Cr 376 (BMC). Client was acquitted on top two counts of Hobbs Act Robbery and Attempted Hobbs Act Robbery.
- Member of trial team for defendant Demetrius Washington in *People v. Demetrious Washington* 2607-2016, seven weeks of trial, 22 count indictment with 84 overt acts, including homicide, gang assault, weapons possession and conspiracy to commit murder. Acquitted of homicide, convicted of lesser counts.
- Assist solo practitioners representing clients in criminal cases, including, Stephanie Carvlin, Susan Walsh, Allan Haber, Kenneth Paul, Scott Tulman, Donna Newman, Avrom Robin and Richard Lind.
- Conducted multiple cross examinations and a direct examination at trial.
- Drafted sentencing submissions and argued at sentencing on behalf of clients.
- Handled arraignments, duty days and all aspects of federal criminal cases.
- Reviewed electronic discovery in mega cases with multiple terabytes of discovery.
 - Including:
 - Forensic images of servers.
 - Forensic images of cellphones.
 - Forensic images of devices.
 - Review discovery in the format of Linux, MAC and Windows.
 - Review servers used in dark web, bitcoin cryptocurrency cases.
- Make court appearances from violations of supervised release to pretrial conferences.
- Manage, organize and index electronic discovery in federal criminal cases.
- Perform legal research, writing and trial preparation.

De Novo Legal

August 2011 - December 2014

Electronic Discovery Attorney

- Conducted electronic discovery from first level review to production.
- Participated in weekly client briefings.
- Responsible for making determinations regarding document relevancy, responsiveness, confidentiality, attorney-client privilege and attorney work product.
- Redacted confidential information; created privilege log to justify legal basis of privilege to judge as well as identify potential unforeseen issues that might arise in depositions.

Brooklyn Bar Association Volunteer Lawyer Program

July 2011 - December 2014

Foreclosure Defense Attorney

- Represented homeowners in foreclosure proceedings.
- Provided counsel and guidance to clients facing the loss of their home.
- Prepared applications for mortgage modifications.
- Conducted negotiations and mediations to attain mortgage modifications for clients.
- Adept in foreclosure prevention and settlement conference procedure.

New York State Courts Access to Justice Program

February 2011 - April 2011

Public Service Graduate Fellow for Consumer Credit Project

- Appeared before judges, interviewed and prepared clients.
- Filed for discovery orders and hearings to contest adequacy of service.
- Negotiated with opposing counsel and finalized settlement agreements favorable to clients.

New York State Supreme Court

May 2009 - November 2009

Law Clerk for the Honorable Emily Jane Goodman

- Drafted memoranda and opinions on myriad legal questions for the Judge.
- Conducted pre-trial conferences, led settlement conferences and assisted the Judge at trial.
- Ensured attorneys complied with court rules concerning settlements.
- Performed legal research for cases on Judge Goodman's docket.

Kennedy, Jennik & Murray P.C.

May 2008 - August 2008

Law Clerk

- Drafted complaints, answers, arbitration briefs and amendments to pension trusts.
- Researched and prepared memoranda on state and federal labor law cases.
- Supported partners at client interviews, client meetings, negotiations and arbitrations.
- In charge of summarizing and highlighting legal changes relating to the Delphi bankruptcy.
- Assisted in negotiations with Delphi to implement reorganization plans.

Office of Manhattan Borough President Scott Stringer

October 2006 - March 2007

Communications Department

- Tracked press coverage, compiled press packets and planned for Community Board meetings.
- Digitalized and expanded database of media sources used by the communications department.

New York City Public School 334 and Middle School 245

September 2004 - June 2006

Teacher

- Taught 6th and 7th grade Biology, Chemistry and Physics.
- Taught 8th grade Earth Science.